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6 Attorney for Third Party Respondent  
7 EXP PHARMACEUTICAL SERVICES CORP.

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **OAKLAND DIVISION**

12 PHARMACEUTICAL INVENTORIES, ) Case No. CV-07-80231-MSC SBA  
13 INC. d/b/a PHARMACEUTICAL )  
14 RETURNS SERVICE, ) **CERTIFICATION OF INTERESTED**  
15 Plaintiff, ) **PERSONS OR ENTITIES**  
16 vs. ) (LR 3-16)  
17 MICHAEL ZACCARO and RETURNS R. )  
18 US, INC. d/b/a/ PHARMA LOGISTICS, ) Date: November 6, 2007  
19 LTD., ) Time: 1:00 p.m.  
Defendants. ) Courtroom: 3, 3<sup>rd</sup> Floor  
20 ) Judge: Hon. Sandra Brown Armstrong  
21 \_\_\_\_\_

22 This Certification is submitted on behalf of EXP Pharmaceutical Services Corp. ("EXP")  
23 in support of its opposition to the Motion to Compel of Defendants Michael Zaccaro ("Zaccaro")  
24 and Returns R. US, Inc., d/b/a Pharma Logistics ("Pharma Logistics") and collectively referred  
25 to as "Defendants."

26 Local Rule 3-16, Federal Rules – Northern District provides:  
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1        "(b) Certification. Upon making a first appearance in any proceeding in this Court, a  
2 party must file with the Clerk a "Certification of Interested Entities or Persons."  
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4                (1)      The Certification must disclose any persons, association of persons, firms,  
5 partnerships, corporations (including parent corporations), or other entities other than the parties  
6 themselves known by the party to have either : (i) a financial interest (of any kind) in the subject  
7 matter of the controversy or in a party to the proceeding; or (ii) any other kind of interest that  
8 could be substantially affected by the outcome of the proceeding." (Local Rule 2-16 (b)(1)).  
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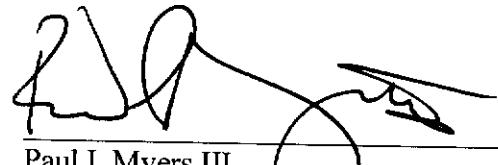
10          EXP is informed and believes that, at the time Defendants issued their subpoena to EXP  
11 they also served a similar subpoena on nine other companies or persons working in the  
12 pharmaceutical return distribution industry. It is respectfully submitted that these entities and  
13 persons have an interest, financial and otherwise, in the outcome of this matter. EXP is informed  
14 and believes that the following persons and/or entities have an interest in the outcome of this  
15 matter:

16                1.      Guaranteed Returns, 100 Colin Drive, Holbrook, New York, 11741. Please note  
17 that this firm, represented by Certilman Balin Adler & Hyman, 90 Merrick Avenue, East  
18 Meadow, New York 11554 (516) 296-7000, has filed suit, in the United States District Court  
19 (E.D.N.Y, Long Island Office, Case Number Misc. 07 0337) to quash the subpoena issued by  
20 Defendants. The outcome of this action is not known to EXP.

21                2.      Capital Returns, N21 W23350 Ridgeview Parkway, Waukesha, WI 53188. EXP  
22 is informed and believes that this firm has received a Supoena similar to that received by EXP,  
23 and has filed a Motion to Quash in the United States District Court (Middle District of North  
24 Carolina, Greensboro Division, Case Number 05 C 6483). The outcome of this action is not  
25 known to EXP.  
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- 1       3.    Universal Dynamic Returns Corporation, 4280 Piedmont Parkway, Suite 101,  
2 Greensboro, NC 27410.
- 3       4.    Pharmalink, Inc., 12345 Starkey Road, Suite L, Largo, FL 33773.
- 4       5.    Returns Solutions, Inc., 10635 Dutchtown Road, Knoxville, TN 37932.
- 5       6.    Mike Samojla, 439 South Home, Itasca, NY 60143.
- 6       7.    Doug Spratt, 837 N. Lombard Street, Elmhurst, IL 60143.
- 7       8.    National Pharmaceutical Returns, 4164 NW Urbandale Drive, Urbandale, IA  
8       50322.
- 9       9.    CLS/Med-Turn Healthcare Services, 2601 Pilgrim Court, Winston-Salem, NC  
10      27106.

11           I declare under penalty of perjury under the laws of the State of California that the foregoing  
12 is true and correct and that this declaration was executed on October 12, 2007, at Los Altos,  
13 California.



14           Paul I. Myers III  
15           Attorney for  
16           EXP Pharmaceutical Services Corp.  
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